



3-16-05

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2133

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March 15, 2005
Date of Deposit

Our Case No. 10808-186 (2001P14516US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Randall Rooney et al.

Serial No. 09/931,125

Filing Date: August 16, 2001

For: PSEUDO FAIL BIT MAP
GENERATION FOR RAMS
DURING COMPONENT TEST AND
BURN-IN IN A MANUFACTURING
ENVIRONMENT

Examiner: Guy J. Lamarre

Group Art Unit No. 2133

RESPONSE WITH TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment is submitted in conjunction with a **Terminal Disclosure** under 37 CFR § 1.321(b). In response to the Office Action dated February 23, 2005, please enter the enclosed **Terminal Disclaimer**.

Applicants gratefully acknowledge the allowance of the pending claims.

Respectfully submitted,

Stephen Charles Smith
Registration No. 53,617
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
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CHICAGO, ILLINOIS 60610
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
10808/186

In re Application of: Rooney et al.
Application No. 09/931,125
Filed: August 16, 2001
For: Pseudo Fail Bit Map Generation For RAMS During Component Test And
Burn-in In A Manufacturing Environment

The owner*, Infinion Technologies Richmond, LP, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,564,346. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Mar. 15, 2005
Date

Signature
Stephen Charles Smith
Typed or Printed Name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313.



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Examiner: Guy J. Lamarre

Art Unit: 2133

Attorney Docket No: 10808/186 (2001P14516US)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ Transmittal letter (in duplicate); Terminal Disclaimer to Obviate a Double Patenting Rejection over a Prior Patent; Response with Terminal Disclaimer; Check in the amount of \$130.

☒ Return Receipt Postcard

Fee calculation:

☐ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

☒ A petition or processing fee in an amount of \$130 under 37 C.F.R. § 1.20(d).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

☒ A check in the amount of \$130 is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

3/15/05

Date: March 15, 2005

Respectfully submitted,



Stephen Charles Smith (Reg. No. 53,617)